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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/665,588

09/19/2003

Jun Moo Her

11265-009-999

6830

24341

7590

06/27/2005

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EXAMINER

STRIMBU, GREGORY J

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

**Application No.**

10/665,588

**Applicant(s)**

HER, JUN MOO

**Examiner**

Gregory J. Strimbu

**Art Unit**

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |



### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because "[t]he invention relates to" on line 1 can be easily implied and therefore should be deleted. Recitations such as "control operation" on line 4 is confusing since it is unclear what element of the invention the applicant is controlling. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because the description of figures 5A to 5C is inadequate since each of the figures should be described separately. On line 2 of paragraph 48 it appears that "600" should be changed to --500-- to avoid confusion.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.



Recitations such as "ECU" on line 9 of claim 1 render the claims indefinite because it is unclear what is meant by the acronym "ECU". Recitations such as "opens or closes the sliding door" on line 9 of claim 1 render the claims indefinite because it is unclear if the applicant is setting forth the subcombination of a opening and closing system or the combination of an opening and closing system and a sliding door. The preamble of claim 1 implies the former while the positive recitation of the sliding door on line 9 of claim 1 implies the latter. Recitations such as "the housing" on line 2 of claim 2 render the claims indefinite because they lack antecedent basis. Recitations such as "a cable" on line 3 of claim 2 render the claims indefinite because it is unclear if the applicant is referring to the cable set forth above or is attempting to set forth another cable in addition to the one set forth above. Recitations such as "lock or release a coupling state" on line 4 of claim 4 render the claims indefinite because it is unclear what the applicant is attempting to set forth.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi '557 in view of Murray et al. Choi '557 discloses an opening and closing system for a power sliding door comprising: a locking controller 300 alternately



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transferring driving force of a handle 120 to a door-closed state keeping unit 400 and a door open state keeping unit 500 in order control operation of the door closed state keeping unit or door-open state keeping unit, said controller having a link 350 for locking or releasing the door open state keeping unit through a cable 631, a means (not numbered, but comprising an edge of the link 350) for detecting locking and releasing state of the door-open state keeping unit, a hinge shaft M, a coupling link 511, a locking link 521. Choi '557 is silent concerning a driving means and an ECU control.

However, Murray et al. discloses a driving means 52 for moving a link 32 of a operating system of a power sliding door and an ECU control 20. Since the tab 64 moves relative to the aperture 56 (compare figures 3-5), the aperture comprises an elongated hole.

It would have been obvious to one of ordinary skill in the art to provide Choi '557 with a driving means and a control, as taught by Murray et al., to increase the ease with which the door open state keeping unit can be moved.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Choi '557 in view of Murray et al. as applied to claims 1-4 and 6 above, and further in view of Raymond et al. Raymond et al. discloses the use of micro switches 4 and 5 to determine the position of a latch 7.

It would have been obvious to one of ordinary skill in the art to provide Choi '557, as modified above, with switches, as taught by Raymond et al., to electronically relay the position of the locking link to the ECU.



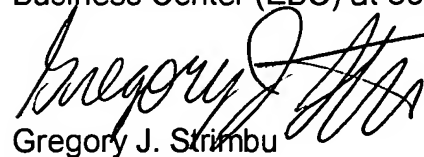
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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nishimura et al., Suzuki et al., Mizuki et al., Kagiya et al., Hashiba et al., and Choi '387 are cited for disclosing an operating mechanism for a sliding vehicle door.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory J. Strimbu  
Primary Examiner

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June 23, 2005